

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendants.

Adv. Pro. No. 08-1789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

In re BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

AMERICAN SECURITIES MANAGEMENT, L.P.,
formerly known as AMERICAN SECURITIES, L.P.,
et al.,

Defendants.

Adv. Pro. No. 10-05415 (BRL)

11 Civ. 08018 (JSR)

**DECLARATION OF OREN J. WARSHAVSKY, PURSUANT TO 28 U.S.C. § 1746,
IN SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION
TO DEFENDANTS' MOTION TO WITHDRAW THE REFERENCE**

Pursuant to 28 U.S.C. § 1746, OREN J. WARSHAVSKY hereby declares as follows:

I am a partner at the firm of Baker & Hostetler LLP, counsel for Plaintiff Irving H. Picard (the "Trustee") for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff. As an attorney of record, I am fully familiar with this case and the facts set forth herein. I respectfully submit this Declaration to place before this

Court true and correct copies of certain documents relevant to the Trustee's memorandum of law in opposition to the defendants' Motion to Withdraw the Reference filed in the following action: *Picard v. Amer. Sec. Mgmt., L.P., et al.*, Adv. Pro. No. 10-05415 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08018 (JSR) (S.D.N.Y.) (ECF No. 1).

1. Attached hereto as Exhibit 1 is a true and correct copy of the amended complaint filed by the Trustee against the defendants in the above-captioned action.

2. Attached hereto as Exhibit 2 is a true and correct list of all the defendants seeking to join the Motion filed in the above-captioned action.

3. Attached hereto as Exhibit 3 is a true and correct copy of the customer claim (without exhibits) submitted by the defendant, PJ Administrator, L.L.C.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 29, 2012.

/s/ Oren J. Warshavsky
Oren J. Warshavsky